

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

USA,

Plaintiff,

v.

JOHN BRYAN MURPHY,

Defendant.

Case No. [17-cr-00605-CRB-1](#) (JSC)

ORDER OF DETENTION

Re: Dkt. No. 11

Defendant John Murphy is charged by indictment with ten counts of wire fraud and related felonies. Mr. Murphy came before the Court on January 19, 2018 for a detention hearing. Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on the record, the Court finds by clear and convincing evidence that no condition or combination of conditions currently available will reasonably assure that he is not an economic danger to the community. In particular, the charged crimes are similar to Mr. Murphy's previous criminal conviction for, among other things, violating the corporate securities laws, a conviction for which he received a 76-month sentence. Further, the government proffered that in 2007 Mr. Murphy was found to have violated the conditions of his parole by creating Capital Park Holdings, the very entity the current indictment alleges Mr. Murphy used to facilitate his fraud. And Mr. Murphy's reported current employment is with Capital Park Holdings. The proposed surety is not adequate and no custodian has been proposed, a condition which the Court deems necessary to assure that Mr. Murphy will not be an economic danger pending trial if released. Accordingly, Mr. Murphy is detained.

These findings are made without prejudice to Mr. Murphy's right to seek review of his detention should new information arise.

Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

1. Defendant Murphy is committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

2. Defendant Murphy be afforded reasonable opportunity for private consultation with counsel; and

3. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to an authorized United States marshal for the purpose of any appearance in connection with a court proceeding.

IT IS SO ORDERED.

Dated: January 19, 2018


JACQUELINE SCOTT CORLEY
United States Magistrate Judge